

**875—218.303(91D) Artistic professions.**

**218.303(1)** The requirements concerning the character of the artistic type of professional work are contained in 218.3(1) “b.” Work of this type is original and creative in character in a recognized field of artistic endeavor (as opposed to work which can be produced by a person endowed with general manual or intellectual ability and training), and the result of which depends primarily on the invention, imagination, or talent of the employee.

**218.303(2)** The work must be “in a recognized field of artistic endeavor.” This includes such fields as music, writing, the theater, and the plastic and graphic arts.

**218.303(3)** The work must be original and creative in character, as opposed to work which can be produced by a person endowed with general manual or intellectual ability and training.

**218.303(4)** Another requirement is that the employee be engaged in work “the result of which depends primarily on the invention, imagination, or talent of the employee.”

SOURCE: 29 CFR 541.303.